

School Discipline (Suspension/Expulsion) 2003-2004

The reporting period for the 2003-2004 school year runs from July 1, 2003 through June 30, 2004. Definitions used for the data collection are as follows:

Interim Alternative Educational Setting - An appropriate setting determined by the child's IEP team in which the child is placed for no more than 45 days. This setting enables the child to continue to progress in the general curriculum; to continue to receive the services and modifications, including those described in the child's current IEP; and to meet the goals set out in the IEP. Setting includes services and modifications to address the problem behavior and to prevent the behavior from recurring.

Unilateral Removal - Instances in which school personnel (not the IEP team) order the removal of children with disabilities from their current educational placement to an appropriate interim alternative educational setting for not more than 45 days. The IEP team is responsible for determining the interim alternative educational setting. Unilateral removals do NOT include decisions by the IEP team to change the student's placement.

Drugs (Excluding Alcohol and Tobacco) - Unlawful use, cultivation, manufacture, distribution, sale, solicitation, purchase, possession, transportation, or importation of any controlled drug (e.g., Demerol, morphine) or narcotic substance.

Dangerous Weapon - Includes:

Handgun: The weapon involved was a handgun or pistol.

Shotgun/Rifle: The weapon involved was a shotgun or rifle.

Other Firearms: The weapon involved was another type of firearm not named above, including zip guns, starter guns, and flare guns. As defined by the Gun-Free Schools Act, other firearms include:

- Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;
- The frame or receiver of any weapon described above;
- Any firearm muffler or firearm silencer; and
- Any destructive device, which includes:
 - Any explosive, incendiary (e.g., bomb, grenade), or poison gas;
 - Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and
 - Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

Knife, Blade 2.5" or Greater: The weapon involved was a knife with a blade of at least 2.5 inches in length or greater than 2.5 inches in length.

Dangerous Weapon: A weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such a term does not include a pocket knife with a blade of less than 2 1/2 inches in length. [Source: 18 U.S.C §930(g)(2)]

If the weapon involved was a knife with a blade of 2 1/2 inches in length or greater, report the incident under the Knife code above.

Removal by a Hearing Officer - Those instances in which an impartial hearing officer orders the removal of children with disabilities from their current educational placement to an appropriate alternative educational setting for not more than 45 days based on the hearing officer's determination that the public agency has demonstrated by substantial evidence that maintaining the child's current placement is substantially likely to result in injury to the child or others.

U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION
AND REHABILITATIVE SERVICES
OFFICE OF SPECIAL EDUCATION
PROGRAMS

OMB NO.: 1820-0621

FORM EXPIRES: 7/31/2004

TABLE 5, SECTION A

REPORT OF CHILDREN WITH DISABILITIES UNILATERALLY REMOVED TO AN INTERIM ALTERNATIVE
EDUCATIONAL SETTING, OR SUSPENDED OR EXPELLED FOR MORE THAN 10 DAYS:
SCHOOL YEAR 2003-2004

STATE: MT - MONTANA

Section A

Children with Disabilities Ages 3-21	1. Unilateral Removals to an Interim Alternative Educational Setting by School Personnel			2. Removals to an Interim Alternative Educational Setting Based on a Hearing Officer Determination Regarding Likely Injury	3. Suspensions or Expulsions > 10 Days		
Disability	A. Unduplicated Count of Children	B. Number of Unilateral Removals for Drugs	C. Number of Unilateral Removals for Weapons	Unduplicated Count of Children	A. Unduplicated Count of Children	B. Number of Single Suspension/Expulsions > 10 Days	C. Number of Children with Multiple Suspension/Expulsions Summing to > 10 Days
1. Mental Retardation	0	0	0	0	1	1	0
2. Hearing Impairments	0	0	0	0	1	1	0
3. Speech/Language Impairments	1	0	1	0	0	0	0
4. Visual Impairments	0	0	0	0	0	0	0
5. Emotional Disturbance	5	2	4	0	16	5	11
6. Orthopedic Impairments	0	0	0	0	0	0	0
7. Other Health Impairments	6	5	1	0	7	0	7
8. Specific Learning Disabilities	37	21	17	0	45	21	25
9. Deaf-Blindness	0	0	0	0	0	0	0
10. Multiple Disabilities	1	0	1	0	2	1	1
11. Autism	0	0	0	0	0	0	0
12. Traumatic Brain Injury	0	0	0	0	1	1	0
13. Developmental Delay ²	-9	-9	-9	-9	-9	-9	-9
14. Total	50	28	24	0	73	30	44

¹Include only out-of-school suspensions.²States must have defined and established eligibility criteria for developmental delay in order to use this category for reporting.

COMPUTED TOTALS

50

28

24

0

73

30

44

ORIGINAL SUBMISSION

CURRENT DATE: November 01, 2004

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TABLE 5, SECTION B

REPORT OF CHILDREN WITH DISABILITIES UNILATERALLY REMOVED TO AN INTERIM ALTERNATIVE
EDUCATIONAL SETTING, OR SUSPENDED OR EXPELLED FOR MORE THAN 10 DAYS:
SCHOOL YEAR 2003-2004

STATE: MT - MONTANA

Section B

Children with Disabilities Ages 3-21	1. Unilateral Removals to an Interim Alternative Educational Setting by School Personnel			2. Removals to an Interim Alternative Educational Setting Based on a Hearing Officer Determination Regarding Likely Injury	3. Suspensions or Expulsions > 10 Days		
Race/Ethnicity	A. Unduplicated Count of Children	B. Number of Unilateral Removals for Drugs	C. Number of Unilateral Removals for Weapons	Unduplicated Count of Children	A. Unduplicated Count of Children	B. Number of Single Suspension/Expulsions > 10 Days	C. Number of Children with Multiple Suspension/Expulsions Summing to > 10 Days
1. White, non-Hispanic	28	18	11	0	32	16	16
2. Black, non-Hispanic	0	0	0	0	1	1	0
3. Hispanic	4	3	2	0	3	1	2
4. Asian/Pacific Islander	0	0	0	0	0	0	0
5. Native American	18	7	11	0	37	12	26
6. Total	50	28	24	0	73	30	44

¹Include only out-of-school suspensions.

COMPUTED TOTALS

50

28

24

0

73

30

44

TABLE 5

REPORT OF CHILDREN WITH DISABILITIES UNILATERALLY REMOVED TO AN INTERIM ALTERNATIVE
EDUCATIONAL SETTING, OR SUSPENDED OR EXPELLED FOR MORE THAN 10 DAYS:
SCHOOL YEAR 2003-2004

COMMENTS

STATE: MT - MONTANA

This is the second year Montana has used its new system for collecting data on all students who have been suspended or expelled from school. There has been one minor change made in the reporting of data on students with disabilities who have been removed for weapons violations (Table 5, Sections A & B, columns 1-C). Last year we used all incident codes that were weapons related for reporting data under 1-C. One of the incident codes for weapons is "Other Weapons," which is defined as "a weapon other than those described above." Since there is a "Dangerous Weapon" incident code, it was decided that the "Other Weapons" code should not be included in the data for weapons (columns 1-C). Incident Codes used for this year's data in columns 1-C are: Handgun, Shotgun/Rifle, Other Firearms, Knife (blade 2.5" or greater), and Dangerous Weapon.